

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
August 18, 1982

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, August 18, 1982 in the City Hall Council Chambers.

ROLL CALL Present: Council Member - Murphy, Olson, Pinkerton, Snider, and Reid (Mayor)

Absent: Council Member - None

Also Present: City Manager Glaves, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney, Stein and City Clerk Reimche

INVOCATION The invocation was given by Reverend Harvey Klapstein,
Bethel Open Bible Church of Lodi

PLEDGE OF ALLEGIANCE	The Pledge of Allegiance to the flag was led by Mayor Reid
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PRESENTATIONS Members of the Lodi Arts Commission were introduced to the City Council, with Chairperson Gwen Mitchell giving a brief report on the activities to date of the commission.

INTRODUCTION OF LODI ARTS COMMISSION

REPORTS OF
THE CITY
MANAGER

CONSENT In accordance with report and recommendation of the
CALENDAR City Manager, the following actions hereby set forth
 between asterisks, on motion of Mayor Pro Tempore
 Murphy, Snider second, were approved by the Lodi
 City Council.

* * * * *

CLAIMS 12-21-01 CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,583,460.33

MINUTES The minutes of July 21, July 26, July 27, July 28, 1982
 were approved as mailed.

DESTRUCTION OF CERTAIN UTILITY DEPT. RECORDS

Following receipt of the City Attorney's written consent for their destruction pursuant to Government Code Section 34090, Council adopted Resolution No. 82-86 approving the destruction of certain Utility Department Records.

RES. NO. 82-86

COUNCIL CONDITIONALLY APPROVED THE FINAL MAP FOR LAKERIDGE TRACT NO. 1816 PENDING RECEIPT OF FINAL MAP APPROVAL FROM THE SURVEYOR'S OFFICE AND AUTHORIZED THE CITY MANAGER AND CITY CLERK TO EXECUTE THE SUBDIVISION AGREEMENT ON BEHALF OF THE CITY.

CONDITIONAL APPROVAL OF FINAL MAP FOR LAKERIDGE SUBDIVISION. This subdivision is a planned unit residential development consisting of 66 residential units and a common area. Grupe Communities, Inc. is developing this on the east side of Lakeshore Drive and it contains 7.605 acres.

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STONETREE
SUBDIVISION
TRACT NO. 1692
CONDITIONAL
APPROVAL

COUNCIL CONDITIONALLY APPROVED THE FINAL MAP AND SUBDIVISION DOCUMENTS FOR STONETREE SUBDIVISION AND DIRECTED THE CITY MANAGER AND CITY CLERK TO EXECUTE THE SUBDIVISION AGREEMENT AND MAP ON BEHALF OF THE CITY.

Stonetree Investment Company, the developers of Stonetree Subdivision has furnished the City with the necessary agreement, improvement securities and fees for the proposed subdivision. This is a condominium subdivision located at the southwest corner of Almond Drive and Cherokee Lane and will contain 90 residential units.

1170/1190 SOUTH
CHEROKEE LANE
DEVELOPMENT

Council was informed that improvements at 1170/1190 South Cherokee Lane Development have been completed in substantial conformance with the requirements of the Development Agreement between the City of Lodi and Golden Corral Corporation, dated July 1, 1981 and as specifically set forth in the plans and specifications approved by the City Council.

RES. NO. 82-94

COUNCIL ADOPTED RESOLUTION NO. 82-94 ACCEPTING THE DEVELOPMENT IMPROVEMENTS AND STREET INCLUDED AT 1170/1190 SOUTH CHEROKEE LANE, LODI.

ACCEPTANCE OF
"EMERSON PARK
CURB AND
GUTTER"

COUNCIL ACCEPTED THE IMPROVEMENTS IN "EMERSON PARK CURB AND GUTTER" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

This contract had been awarded to Case Construction Company, Inc. of Lodi on July 16, 1982 in the amount of \$11,310.50. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

ITEM REMOVED
FROM AGENDA

With the tacit concurrence of the City Council, Agenda item 1-H - "Accept improvements, Catch Basin Replacement" was removed from the agenda.

ABANDONMENT
OF 20 FOOT
ROADWAY IN
WALNUT ORCHARD
TRACT

Council was informed that the City has received a request from Leonard Williams, owner of Lot 37, Walnut Orchard Tract, to abandon a 20 foot strip of land lying north of Lot 37, Walnut Orchard Tract. The strip of land is not being used for street purposes and the reason for acquiring the property with the Subdivision is unknown.

RES. NO. 82-87

COUNCIL ADOPTED RESOLUTION NO. 82-87 RESOLUTION OF INTENTION TO ABANDON A 20-FOOT STRIP OF LAND LYING NORTH OF LOT 37, WALNUT ORCHARD TRACT, REFERRING THE MATTER TO THE PLANNING COMMISSION AND SETTING THE MATTER FOR PUBLIC HEARING ON OCTOBER 6, 1982.

City Manager Graves presented the following bids which had been received to apply Class II Slurry Seal to City Streets as follows:

CONTRACTOR	TOTAL S/F	TOTAL COST
Calif. Pavement Maintenance Co.	656,830	\$ 25,144.09
Valley Slurry Seal Co. .	656,830	\$ 27,761.37
Graham Contractors, Inc.	656,830	\$ 28,075.00

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AWARD -
BID TO APPLY CLASS
II SLURRY SEAL TO
CITY STREETS

Following recommendation of the City Manager, Council adopted Resolution No. 82-88 awarding the bid to apply Class II Slurry Seal to California Pavement Maintenance Company, the low bidder in the amount heretofore listed.

RES. NO. 82-88

STANDARDIZATION
OF ELECTRIC PANELS
APPROVED

Following a report and recommendation from Staff, Council, by motion action under the Consent Calendar, voted to standardize low voltage electrical panels as manufactured by the Square D Company.

PUBLIC HEARINGS

Notice thereof having been published and posted in accordance with law and affidavit of publication and posting being on file in the Office of the City Clerk, Mayor Reid called for the Public Hearing pursuant to Resolution No. 82-84 which declared weeds a public nuisance and initiated abatement proceedings on the following parcels:

- a) 18 South Main Street, Lodi
- b) 1780 South Hutchins Street, Lodi
- c) 317 East Kettleman Lane, Lodi

The matter was introduced by City Clerk Reimche, who responded to questions as were posed by the Council.

There were no persons in the audience wishing to speak on the matter, and the public portion of the hearing was closed.

WEED ABATEMENT
VARIOUS PARCELS
THROUGHOUT CITY

Following additional discussion, on motion of Councilman Pinkerton, Murphy second, Council adopted Resolution No. 82-89 and 82-89A ordering the removal of the subject weeds and determining that the cost of such removal shall be assessed upon the following subject property from which the weeds are removed and that the cost for such abatement or removal shall constitute a lien upon such land until paid.

RES. NO. 82-89
28-89A

- 1) 18 South Main Street - Cost \$105.00
- 2) 1780 South Hutchins Street - Cost \$130.00
- 3) 317 East Kettleman Lane - Cost \$110.00

PLANNING COMMISSION

City Manager Graves gave the following report of the Planning Commission meeting of August 9, 1982. The Planning Commission -

ITEMS OF INTEREST

1. Approved the request of Robert D. Lewis, Pastor, First Southern Baptist Church for the extension of Use Permit U-81-30 allowing temporary use of a mobilehome for church classroom on property located at 2301 West Lodi Avenue.
2. Directed the staff to meet with the County Planning Staff to determine the feasibility of another joint public hearing on the Woodbridge Roads Circulation Element.
3. Set for public hearing on Monday, August 23, 1982 General Plan-Land Use Element Amendment No. GPA-LU-82-2, two rezoning requests and two Final Environmental Impact Reports.

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COMMUNICATIONS (CITY CLERK) City Clerk Reimche presented the following application which had been received for an Alcoholic Beverage license:

ABC LICENSES a) Albino C. Paz
Albino's Card Room
117 N. Sacramento Street
Lodi, CA 95240
On Sale Beer - New License

PUC APPLICATION City Clerk Reimche apprised the Council that by application No. 82-07-43 filed July 20, 1982, with the California Public Utilities Commission, Greyhound Lines, Inc. requested approval to increase its passenger bus fares and package express rates.

EMPLOYEE PARKING BY CANNERY WORKERS DISCUSSED City Clerk Reimche presented to Staff a petition signed by approximately 50 persons requesting that cannery employees use parking lots provided by the cannery. Ms. Pat Senner, 831 S. Washington Street, Lodi, who circulated the petition was in the audience and addressed the Council regarding the problems being encountered.

Also speaking on the subject were:

- a) Gail Watson, 819 Washington Street, Lodi
- b) Bryan Ball, 237 Cherry Street, Lodi
- c) Ben Kauk, 209 Maple Street, Lodi

A lengthy discussion followed with questions being directed to Staff and to those persons who had given testimony.

On motion of Mayor Reid, Murphy second, Council referred the matter to Staff for review and recommendation.

PUBLIC HEARING SET FOR RECONSIDERATION OF DOWNTOWN TRAFFIC PATTERNS Following receipt of a request by Walter F. Sanborn, Chairman, Central Lodi Improvement Committee, Council, on motion of Councilman Pinkerton, Murphy second, set for Public Hearing on September 1, 1982, reconsideration of the action taken by the Lodi City Council at a Special Meeting held February 24, 1982 whereby Council determined to retain two-way traffic patterns in the downtown area of the City of Lodi, i.e., Oak, Walnut, School and Church Streets and particularly as it pertains to School Street.

ADDITION OF AUTOMATIC LOCATION IDENTIFICATION FEATURE FOR 911 EMERGENCY TELEPHONE SYSTEMS URGED Following introduction of the matter by City Manager Glaves, Council on motion of Councilman Pinkerton, Murphy second, adopted Resolution No. 82-90 - A Resolution of the City Council of the City of Lodi urging the State of California to enact legislation to provide for the addition of the automatic location identification feature for 911 Emergency Telephone Systems.

RES. 82-90

City Clerk Reimche presented a letter which had been received from Assemblyman Alister McAlister expressing appreciation to the Lodi City Council for its support for Senator Beverly's SB500 which would have reformed the law of joint and several liability.

Discussion followed with questions being directed to the City Attorney and to Staff.

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RES. CHARGING Councilman Pinkerton then moved for adoption of Resolution
THAT ANY LEGISLATOR No. 82-91 charging that any legislator who is an attorney
WHO IS AN ATTORNEY has a conflict of interest when said legislator/attorney
HAS A CONFLICT OF votes on bills affecting or enhancing his/her profession.
INTEREST WHEN SAID The motion was seconded by Mayor Pro Tempore Murphy and
LEGISLATOR VOTES ON carried by the following vote:

BILLS AFFECTING OR
ENHANCING HIS/HER Ayes: Council Members - Murphy, Olson, Pinkerton, and
PROFESSION Reid

RES. NO. 82-91 Noes: Council Members - None

Absent: Council Members - None

COMMENTS BY CITY COUNCIL MEMBERS

TRELLA ARIEDA On motion of Mayor Reid, Olson second, Council appointed
APPOINTED TO Trella Arieda to the San Joaquin County Commission on Aging.
S.J. COUNTY
COMMISSION ON AGING

COMMENTS BY THE PUBLIC ON NON AGENDA ITEMS

LODI DISTRICT
CHAMBER OF COMMERCE
HIGHWAY AND
TRANSPORTATION
COMMITTEE TRAFFIC
SIGNAL
RECOMMENDATIONS

Mr. Cecil Dillon representing the Highway and Transportation
Committee of the Lodi District Chamber of Commerce presented
that Committee's priority list pertaining to traffic signals.
Mr. Dillon stated that their Committee had used the following
criteria in arriving at their priority list:

1. Potential hazard/safety
2. Rapid movement through intersections
3. City Staff data

Mr. Dillon stated that these recommendations have been
approved by the Board of Directors of the Lodi District
Chamber of Commerce and urged that the City Council take
these recommendations under consideration when reviewing the
proposed expenditure plans for signals.

LODI DISTRICT CHAMBER OF COMMERCE HIGHWAY & TRANSPORTATION COMMITTEE TRAFFIC SIGNAL RECOMMENDATIONS August, 1982

City of Lodi Transportation Improvement Plan

NEW TRAFFIC SIGNALS

1982-83 Pine St.-Sacramento St.
1983-84 Ham Lane-Lockeford St.
1984-85 Lodi Ave.-Mills Ave.
no date Ham Ln.-Tokay St.
no date Cherokee Ln.-Lockeford
no date Pine St.-Stockton St.

no date Lower Sacramento-Lodi
Ave.

Lodi District Chamber of Commerce Recommendation

NEW TRAFFIC SIGNALS

1982-83 Cherokee Ln.-Lockeford St.
1982-83 Ham Lane-Tokay Street
no date Ham Ln.-Lockeford St.
no date Pine St.-Sacramento St.
no date Pine St.-Stockton St.
(install 4-way stop
signs 1982-83)

no date Lower Sacramento-Lodi
Ave.

NOTE: Lodi Ave.-Mills Ave. was
removed from the New Traffic Signal
priority list and we recommend
that a red flashing light be
installed this year to go with
the existing 4-way stop signs.

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City of Lodi Transportation
Improvement Plan

Lodi District Chamber of
Commerce Recommendations

UPGRADE TRAFFIC SIGNALS

UPGRADE TRAFFIC SIGNALS

1982-83 Hutchins St.-Kettleman
1982-83 Pine St.-Cherokee Ln.
1985-86 Cherokee Ln.-Victor Rd.

Same as City of Lodi

REGULAR CALENDAR

*cc-14 d
cc-300*

Council was apprised that sometime ago, the City tendered a grant application to the Economic Development Administration asking for \$560,000 as 70% of a total project cost of \$800,000 for the East Area Storm Drain Project. The project basically is the continuation of the present Cluff Avenue Assessment District Storm Drain south to tie into existing mains near C-1 Basin on Industrial Way and the construction of a storm drain lift station near the intersection of Cluff and Pine. Funds are available for the City funded portion of the work. Staff has reviewed the conditions of the grant regarding the completion of the plans, start of construction and statutory requirements regarding conformance to certain laws and acts of the federal government and feel that there is no problem in conforming to the requirements.

EDA GRANT
OFFER FOR EAST
AREA STORM DRAIN
PROJECT

Following discussion, on motion of Councilman Pinkerton, Murphy second, Council adopted Resolution No. 82-92 accepting the grant offer from the United States Department of Commerce Economic Development Administration for completion of the East Area Storm Drain project on Cluff Avenue and authorizing the City Manager and City Clerk to execute the offer for the City and any other documents necessary during the life of the grant, including right-of-way agreements.

RES. NO. 82-92

Council was apprised that -

1982-83 TRANSPOR-
TATION DEVELOP-
MENT ACT CLAIM

*cc-7 d
cc-300*

The City's claim for the 1982-83 TDA funds includes all the projects which are being considered for construction during the next fiscal year. Those projects are shown on an exhibit presented to Council. This action is not approving projects for construction. It just gives the city the flexibility to use TDA funds on these projects if they are included in the City of Lodi's 82-83 TIP. It also includes \$44,000 which will be used for the Dial-A-Ride system and \$11,068 as the City's contribution to the Transportation Planning process.

The amount being claimed from TDA funds for the fiscal year 82-83 includes the city's 1982-83 approved area apportionment (\$542,332), the 2% non-motorized apportionment (\$11,068), and the unclaimed 81-82 apportionment (\$127,953).

In order to claim the 2% non-motorized apportionment, the Council must find and include in the resolution that apportionment can best be used for street and road projects which include the installation of handicapped ramps, thereby meeting the intent of non-motorized portion of the claim.

The TDA funds will be used in conjunction with other City funds for the Transportation Improvement Program as well as the maintenance of our streets.

RES. NO. 82-95

On motion of Councilman Pinkerton, Murphy second, Council adopted Resolution No. 82-95 approving the City of Lodi's 1982-83 Transportation Development Act Claim and authorizing the City Manager to execute the document on behalf of the City.

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ITEMS REMOVED FROM
THE AGENDA

With the tacit concurrence of the City Council, agenda item K-3 - "Approved revised STAT Claim - 1981-82" was removed from the agenda.

With the tacit concurrence of the City Council, agenda item K-4 - "Approve Contract with San Joaquin County Safety Council" was removed from the agenda.

TAX RATE SET FOR
DEBT RETIREMENT

RES. NO. 82-93

Following introduction of the matter by Staff, Council, on motion of Councilman Pinkerton, Mr. Murphy second, adopted Resolution No. 82-93 - Resolution Fixing Tax Rate for the City of Lodi for Fiscal Year 1982-83.

TURNER/CLUFF RIGHT
OF-WAY

Agenda item K-6 "Clarification of Turner/Cluff Road right-of-way" was introduced by Staff. The following Staff report was presented by Public Works Director Ronsko:

In January of this year, the City Council received a copy of the attached letter dated January 14, 1982, from Morris and Wenell Architects requesting that the City purchase the right-of-way fronting the Jerome and Snell parcels in order that Turner Road could be constructed to its full width to accommodate the anticipated traffic from the proposed Cal Cushion Development within the Willow Oaks Industrial Park. The Council then gave staff direction to obtain appraisals on the Jerome and Snell parcels. At the following Council meeting a memo dated March 5, 1982, was reviewed with the City Council. The Council indicated that the questions within this memo would be answered upon obtaining the appraisals for the Snell and Jerome properties.

The Council has now directed staff to proceed on the acquisition of the Jerome property and the Snell appraisal. Therefore, the following questions from the March 5 memo still need clarification:

1. Since Cal Cushion is apparently not going to develop within the Willow Oaks Subdivision, does this change any previous Council positions?
2. Is it the Council's intention to also acquire the Turner Road rights-of-way fronting the Anagnos property?
3. Once the right-of-way is obtained, is it the City's intent to pay for any of the widening of Turner Road?

The estimated right-of-way acquisition costs and construction costs are shown below:

<u>Total R/W Costs</u>	<u>Construction Cost</u>	<u>Total</u>
\$50,000 to \$180,000	\$53,000	\$103,000 to \$233,000

Based on the attached letter from the City Attorney dated January 21, 1982, the Willow Oaks Industrial Park developer apparently indicated to the City Attorney that they (Willow Oaks Industrial Park) would pay for the street improvements fronting the Snell and Jerome properties if the City purchased the right-of-way.

4. If Turner Road is to be widened at City cost, is the widening to take place in front of Jerome, Snell and Anagnos properties?
5. If widening is to take place, is it the Council's intent to construct all of the street improvements including parking lane, curb, gutter, sidewalk, street lights, or only those improvements necessary to provide ultimate travel lane?

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6. If it is the Council's intent for the City to be responsible for widening, does the Council want to consider reimbursement at the time the properties develop or convert to a higher use?
7. Does the Council have any preference on what City funds should be used for the right-of-way acquisition and any Turner Road widening?

Other background information and memoranda were reviewed for Council's benefit by Mr. Ronsko. A very lengthy discussion followed. Mrs. Jan Snell and Mr. Leo Anagnos, property owners in the subject area, gave testimony to the Council pertaining to the subject. A full transcript of this section of the Council meeting is on file in the office of the City Clerk.

Following additional discussion with questions being directed to Staff and to those persons who had given testimony, Council, on motion of Mayor Pro Tempore Murphy, Olson second, took the following actions pertaining to the clarification of Turner Road rights-of-way acquisitions and construction between Beckman Road and Cluff Avenue:

CLARIFICATION OF
TURNER/CLUFF AVE.
ROAD RIGHT-OF-WAY

- a) Authorized that an appraisal be made of the Anagnos property.
- b) Staff was directed to obtain written documentation on Ron Judsons position in this matter.
- d) Directed the City Clerk to reproduce all pertinent notes, minutes, etc. regarding this subject and distribute this information to the City Council for review.

RECESS

Mayor Reid declared a five-minute recess, and the Council reconvened at approximately 9:15 p.m.

Following introduction of the matter by City Manager Glaves, Council, on motion of Mayor Pro Tempore Murphy, Reid second, authorized Staff to proceed with subdivision paving at the following locations:

- a) Houston Lane - S/Victor
- b) Vine Street - E/Lower Sacramento

ORDINANCES

ORD. AMENDING
SPECIFIC PLAN OF
EAST LOCKEFORD
STREET

Ordinance No. 1267 - Ordinance amending the Specific Plan of East Lockeford Street between Cluff Avenue and a point 700 feet west of Cluff Avenue by moving the future right-of-way four feet south having been introduced at a regular meeting held August 4, 1982 was brought up for passage on motion of Mayor Pro Tempore Murphy, Pinkerton second. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted, and ordered to print by the following vote:

ORD. NO. 1267
ADOPTED

Ayes: Council Members - Murphy, Olson, Pinkerton,
Snider, and Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

ORD. AMENDING
SECTIONS 20-51(i)
and 26-14(i) THERE-
BY ESTABLISHING
THAT THE
ADMINISTRATIVE
FEES FOR
ADMINISTERING
REIMBURSEMENT
PROVISIONS OF THESE
ARTICLES BE SET
BY RESOLUTION

Ordinance No. 1268 - An Ordinance of the City Council of the City of Lodi Amending Sections 20-51 (i) and 26-14 (i) thereby establishing that the Administrative Fees for Administering the Reimbursement Provisions of these Charters or Articles be set by Resolution having been introduced at a regular meeting held August 4, 1982 was brought up for passage on motion of Mayor Pro Tempore Murphy, Olson second. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted, and ordered to print by the following vote:

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ORD. NO. 1268
ADOPTED

Ayes: Council Members - Murphy, Olson, Pinkerton,
Snider, and Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

ADJOURNMENT

There being no further business to come before the Council, Mayor Reid adjourned the meeting at approximately 9:40 p.m.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk